

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ACTUS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 2:09-cv-00102-TJW
)	
BANK OF AMERICA CORP., et al.,)	
)	
Defendants.)	

**DEFENDANT WAL-MART STORES, INC.'S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S SECOND AMENDED COMPLAINT**

COMES NOW Defendant Wal-Mart Stores, Inc. ("Walmart"), without waiving any defenses or any matters that might be presented pursuant to Federal Rule of Civil Procedure 12(b), or any other rule or law, and files this unopposed motion for extension of time in which to answer or otherwise respond to Plaintiff Actus, LLC's Second Amended Complaint and would respectfully show the Court as follows:

Walmart has requested and Plaintiff has agreed to a further 21-day extension of Walmart's time to answer Plaintiff's Second Amended Complaint. Specifically, Walmart requests, and Plaintiff does not oppose, an extension of time up to and including November 9, 2009.

A proposed Order granting this unopposed motion is attached hereto.

Dated: October 19, 2009

Respectfully submitted,

/s/ David A. Roodman

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**ATTORNEYS FOR DEFENDANT
WAL-MART STORES, INC.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record on this 19th day of October, 2009.

/s/ David A. Roodman